

IN THE CIRCUIT COURT OF MARSHALL COUNTY, WEST VIRGINIA  
BUSINESS COURT DIVISION

AXIALL CORPORATION and  
WESTLAKE CHEMICAL CORPORATION,

Plaintiffs,

vs.

NATIONAL UNION FIRE INSURANCE  
COMPANY OF PITTSBURGH, PA.; ALLIANZ  
GLOBAL RISKS US INSURANCE COMPANY;  
ACE AMERICAN INSURANCE COMPANY;  
ZURICH AMERICAN INSURANCE COMPANY;  
GREAT LAKES INSURANCE SE; XL  
INSURANCE AMERICA, INC.; GENERAL  
SECURITY INDEMNITY COMPANY OF  
ARIZONA; ASPEN INSURANCE UK LIMITED;  
NAVIGATORS MANAGEMENT  
COMPANY, INC.; IRONSHORE SPECIALTY  
INSURANCE COMPANY; VALIDUS  
SPECIALTY UNDERWRITING SERVICES,  
INC.; and HDI-GERLING AMERICA  
INSURANCE COMPANY,

Defendants.

Civil Action No. 19-C-59

Judge Christopher C. Wilkes

**ORDER GRANTING ADMISSION  
PRO HAC VICE FOR BEN C. LEWIS**

Having considered the "Application and Motion for *Pro Hac Vice* Admission of Ben C. Lewis" with the attached "Verified Statement of Ben C. Lewis in Support of Application and Motion for *Pro Hac Vice* Admission," and the "Verified Statement of Debra Tedeschi Varner, as Responsible Local Attorney, in Support of Application and Motion for *Pro Hac Vice* Admission of Ben C. Lewis," and it appearing that there has been compliance with Rule 8 of the West Virginia Rules for Admission to the Practice of Law, the Court hereby **ORDERS** that the Application is

granted and that Ben C. Lewis be, and he hereby is, admitted *pro hac vice* as visiting counsel for all purposes of this proceeding, and that all future correspondence from this Court shall also be directed to Ben C. Lewis, Esquire, at Carroll, Warren & Parker, P. O. Box 1005, Jackson, Mississippi 39215-1005.

It is further **ORDERED** that the admission *pro hac vice* of Ben C. Lewis is granted, subject to all of the requirements and conditions set forth in Rule 8.0(c) of the West Virginia Rules for Admission to the Practice of Law, specifically:

The applicant shall be associated with an active member in good standing of the state bar, having an office for the transaction of business within the State of West Virginia, who shall be a responsible local attorney in the action, suit, proceeding or other matter which is the subject of the application, and service of notices and other papers upon such responsible local attorney shall be binding upon the client and upon such person. The local attorney shall be required to sign all pleadings and affix the attorney's West Virginia State Bar ID number thereto, to attend all hearings, trials or proceedings actually conducted before the judge, tribunal or other body of the State of West Virginia for which the applicant has sought admission *pro hac vice*. The local attorney shall further attend the taking of depositions and other actions that occur in the proceedings which are not actually conducted before the judge, tribunal or other body of the State of West Virginia for which the applicant has sought admission *pro hac vice*, and, shall be a responsible attorney in the matter in all other respects. In order to be a "responsible local attorney" the local attorney must maintain an actual physical office equipped to conduct the practice of law in the State of West Virginia, which office is the primary location from which the "responsible local attorney" practices law on a daily basis. The responsible local attorney's agreement to participate in the matter shall be evidenced by the local attorney's endorsement upon the verified statement of application, or by written statement of the local attorney attached to the application.


It shall be the duty of every circuit clerk to reject any pleading or other document tendered for filing in the office of said clerk which is not signed or otherwise executed as required by this rule. Any document filed in violation of this rule may be expunged as a fugitive document; provided, however, that any party shall have a period of thirty days after notice to comply with this rule by filing

a certification with the circuit clerk signed by the responsible local attorney and identifying the pleadings and documents thereby affected.


In particular, it is hereby **ORDERED** that service of notices and other papers upon Debra Tedeschi Varner, of Varner & Van Volkenburg PLLC, as responsible local attorney, shall be binding upon Debra Tedeschi Varner. Further, Debra Tedeschi Varner, or an attorney of Varner & Van Volkenburg PLLC, shall be required to attend all hearings, trials or proceedings actually conducted before this Court. Debra Tedeschi Varner, or an attorney of Varner & Van Volkenburg PLLC shall further attend the taking of depositions and other actions that occur in these proceedings which are not actually conducted before the Court, unless released for cause from such responsibility by appropriate order of this Court and, even if released, Debra Tedeschi Varner shall continue to be a responsible attorney in the matter in all other respects. The Clerk is directed to send copies of this **ORDER** to all counsel of record.

The Clerk is directed to send copies of this **ORDER** to all counsel of record.

ENTER:

December 3rd 2019  
  
\_\_\_\_\_  
Honorable Christopher C. Wilkes

PREPARED BY:

  
\_\_\_\_\_  
Debra Tedeschi Varner (WV State Bar #6501)  
James A. Varner, Sr. (WV State Bar #3853)

Varner & Van Volkenburg PLLC  
200 Peck Street, Suite 102  
P. O. Box 2370  
Clarksburg, WV 26302-2370  
Telephone: (304) 918-2840  
Facsimile: (304) 566-1161  
**Co-Counsel for Defendants**

A Copy Teste:

Joseph M. Rucki, Clerk  
By Domena Crow Deputy